

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

JAMES M. GARDNER

PETITIONER

v.

No. 3:23CV51-MPM-JMV

PANOLA COUNTY, MISSISSIPPI
TATE COUNTY, MISSISSIPPI
MISSISSIPPI DEPT OF CORRECTIONS

RESPONDENT

FINAL JUDGMENT

In accordance with the memorandum opinion issued today in this cause, the motion by the State to dismiss the instant petition for a writ of *habeas corpus* is **GRANTED**, and petition is **DISMISSED**.

The petitioner's claims challenging his original plea and sentences are **DISMISSED** with prejudice as time-barred under 28 U.S.C. § 2244(d) and, alternatively, as procedurally defaulted.

The petitioner's claims challenging the revocation of his PRS are **DISMISSED** with prejudice for want of substantive merit.

The petitioner's claims regarding the conditions of his confinement are **DISMISSED** without prejudice for failure to state a valid *habeas corpus* claim.

The petitioner's request for an evidentiary hearing is **DENIED**.

SO ORDERED, this, the 1st day of June, 2023.

/s/ Michael P. Mills

UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI